

APPEAL NO. 020473  
FILED APRIL 4, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 22, 2002. With respect to the disputed issues, the appellant (claimant) appealed the hearing officer's determination that the compensable injury does not extend to the cervical spine, thoracic spine, and/or both hands. The respondent (self-insured) responds, asserting that the claimant's appeal is untimely and, otherwise, urging affirmance.

DECISION

The hearing officer's decision is affirmed.

First, in regard to the self-insured's assertion that the claimant's appeal is untimely, we have reviewed the file and have determined that the claimant's appeal was timely perfected.

"Compensable injury" is defined in Section 401.011(10). It is undisputed that the claimant sustained a compensable injury to her lumbar spine. The issue before the hearing officer regarded the extent of the compensable injury. Conflicting evidence was presented regarding the extent of the compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. We have held that the question of the extent of injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. The hearing officer's decision that the claimant's compensable injury does not extend to her cervical spine, thoracic spine, and/or both hands is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

The hearing officer's decision and order are affirmed.

The true corporate name of the self-insured is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

**MANAGER  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

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Gary L. Kilgore  
Appeals Judge

CONCUR:

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Philip F. O'Neill  
Appeals Judge

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Edward Vilano  
Appeals Judge